

So this is merely clarification, merely spells out the differences in penalties between a misdemeanor and a felony and that is all the bill does. It doesn't change any penalties or anything like that.

PRESIDENT: Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I think it does make a very basic change in law and Senator Simon says it is just clarifying, that is not quite true, in my opinion. Maybe I am incorrect, but as I understand it, this bill will make a misdemeanor out of fleeing from certain violations where before it was all totally a felony. So it is not just a technical change or something like this. It is a major change in the law and I think it is a reasonable bill but it is a major change, in my opinion.

PRESIDENT: You have heard the motion. Record your vote. Would you like to? That is when you are standing behind your microphone with your light on. Cancel the vote. Senator Simon, close please.

SENATOR SIMON: I knew you would get your just desserts in, Mr. President. I do want to clarify what Senator Cullan was talking about and he is not correct in his assertion. I am carrying the bill for the City of Omaha and the Police Chief had asked that this be done. This does not, let me get to Senator Cullan on the mike here and then I will ask you a question. Senator Cullan, would you yield.

SENATOR CULLAN: Yes, I will.

SENATOR SIMON: All right, you are saying that you think this bill changes the penalties for misdemeanors?

SENATOR CULLAN: No, I am not. Formerly, what I am saying is that formerly it was a felony to flee and now for certain cases you are making it a misdemeanor. So it is not just a technical change.

SENATOR SIMON: Senator Cullan, I have a copy in front of me of the current statute and it has, and it says for fleeing, it shall be either a felony or misdemeanor. It lumps both of them together. I would suggest...here, I have a copy right here of the statutes. So it does not change a thing. All it does it means that people who are sometimes getting off now because of a felony, excuse me, because of a misdemeanor because the courts are so bogged down will go to trial. They will go to trial in municipal court rather than the district court saying we have got too many cases. We haven't got the time. We will just drop the case. It does not change the sentencing at all. It is strictly a matter of clarification. I have a letter from the police chief verifying this, Senator Cullan, and if you look at the copy like I have here, the Xeroxed copy, from the statutes you will see that, in fact, is correct.

PRESIDENT: You heard the motion. Record your vote. It is to advance the bill. Have you voted? Record.

CLERK: 26 ayes.

PRESIDENT: The bill is advanced. LB 208. Is this in